

REMARKS

Claims 1-29 are pending. By this Amendment, claims 9-10 are cancelled, claims 1 and 11 are amended and new claim 29 is added.

35 U.S.C. § 103 Rejections

Claims 1-28 stand rejected under 35 U.S.C. § 103 as obvious over Yamada, U.S. Patent Publication No. 2003/0076973, in view of one or more issued patents and/or published patent applications. More specifically, independent claim 1 stands rejected under 35 U.S.C. § 103 as obvious over Yamada, U.S. Patent Publication No. 2003/0076973, in view of Sotome et al., U.S. Patent Publication No. 2003/0086572; dependent claim 9 stands rejected under 35 U.S.C. § 103 as obvious over Yamada, U.S. Patent Publication No. 2003/0076973, in view of Sotome et al., U.S. Patent Publication No. 2003/0086572 as applied to claim 1, and in further view of Embree, U.S. Patent 5,818,941. Applicant respectfully traverses the rejections of claims 1-28.

However, in order to advance prosecution of this Application, independent claim 1 has been amended to incorporate additional elements of claim 9. Further, Applicant has amended claim 1 to require that the electric sound signals on the left and on the right be “original” electric sound signals on the left and on the right.

As pointed out by the Examiner, obviousness is determined under the analysis provided by Graham v. John Deere, comprising determining the scope and content of the prior art, ascertaining differences between the prior art and the claims at issue, resolving the level of ordinary skill in the pertinent art, and evaluating secondary considerations, if present.

With respect to the second factor, a comparison of the prior art cited with newly amended claim 1 reveals that not all of the required elements are present in the cited art, and further, that the cited art teaches away from the claimed invention.

Embree discloses a method in which two original electric sound signals (L and R) are transformed into three or more processed electric sound signals (Lout, Rout, Cout). In order to achieve this goal the original electric sound signal (L and R) and combination of these original electric sound signals (L-R and L+R) are analyzed by functional blocks (138, 140, 144, 146, 148 and 150) in order to compute parameters that characterize the original electric sound signals. These parameters correspond to output of Voltage Controlled Amplifiers (VCA 152) but not to an electric sound signal (see col. 3 lines 37-40).

Then the processed electric sound signal (Lout, Rout, Cout) are computed by multiplying the original electric sound signal (L and R) by the parameters obtained in the previous step (see Figure 1B and col. 3 lines 32-50).

However, Embree does not disclose combining the original electric sound signals (L and R) and the processed electric sound signals (Lout, Rout, Cout), as required by newly amended claim 1.

Furthermore, Embree teaches away from combining the original electric sound signals and the processed electric sound signals by teaching to combine electric sound signals with parameter values but not disclosing to combine two different types of electric sound signals (original electric sound signal and processed electric sound signal) with each other.

Therefore, because the cited prior art fails to disclose all of the required elements of newly amended claim 1, and because the cited art teaches away from the present invention,

Applicant respectfully suggests that the present invention is not obvious, and requests that the rejection to newly amended claim 1, and claims 2-8, and 11-29, which depend from claim 1, be withdrawn.

New Claim

By this Amendment, new claim 29 has been added. For the reasons discussed above with respect to newly amended claim 1, Applicant respectfully submits that new claim 29, which depends from claim 1, is in condition for allowance.

Conclusion

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,



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